IFW.

Docket No.:

NOCODE2.005C1

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Customer No.: 20,995

AMENDMENT / RESPONSE TRANSMITTAL

Applicants

: James Jannard et al.

App. No.

: 10/628,789

Filed

: July 28, 2003

For

EYEGLASS WITH MP3

PLAYER

Examiner

Hung Xuan Dang

Art Unit

2873-

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

September 10, 2004

(Date)

Michael A. Guiliana, Reg. No. 42,611

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Response to Restriction Requirement in 1 page.
- (X) Return prepaid postcard.

(X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Michael A. Guiliana Registration No. 42,611 Attorney of Record Customer No. 20,995 (949) 760-0404

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NOCODE2.005C1 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE pplicants James Jannard et al. Group Art Unit 2873 I hereby certify that this correspondence and all Appl. No. 10/628,789 marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Filed July 28, 2003 Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on For EYEGLASS WITH MP3 PLAYER Hung Xuan Dang Examiner

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement, Applicants elect, without traverse, Group I (Claims 1-14) for prosecution in the present application.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 10, 2004

Michael A. Guiliana Registration No. 42,611 Attorney of Record Fourteenth Floor 2040 Main Street Irvine, CA 92614 (949) 760-0404